

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
OFFICE OF THE CLERK
THEODORE LEVIN UNITED STATES COURTHOUSE
231 WEST LAFAYETTE BLVD. - ROOM 564
DETROIT, MICHIGAN 48226

METROPLEX MI 480
METROPLEX MI 480
21 APR 2021 PM 4:31
20 APR 2021 PM 4:31

OFFICIAL BUSINESS
RECEIVED
MAY 10 2021
CLERKS OFFICE
U.S. DISTRICT COURT

20-12308
(2)

Anthony Browning
#855072
J Facility-SMT

INMATE HAS PAROLED
RETURN TO SENDER

1201

482

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARTHUR ROUSE, ET AL.,

Plaintiffs,

No. 20-12308

v.

District Judge Bernard A. Friedman
Magistrate Judge R. Steven Whalen

GRETCHEN WHITMER, ET AL.,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff John Moore is one of 28 named prison inmates in the custody of the Michigan Department of Corrections who have file a civil complaint under 42 U.S.C. § 1983, alleging violations of their federally protected rights under the First Amendment, the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), 42 U.S.C. § 2000cc-1 *et seq.*, the Fourteenth Amendment Equal Protection Clause, as well as violations of Michigan law. The complaint centers on the claimed denial of in-person group religious services during the COVID-19 pandemic. Before the Court is Plaintiff Moore’s motion to exclude his case from early mediation and to sever, or in the alternative to dismiss him from the complaint without prejudice [ECF No. 27].¹

For the reasons discussed below, I recommend that Plaintiff’s motion be DENIED WITHOUT PREJUDICE.

I. FACTS

The common underlying basis of this complaint is that all of the Plaintiffs have

¹ The alternative request for dismissal makes this a dispositive motion, and I must therefore proceed by Report and Recommendation under 28 U.S.C. § 636(b)(1)(B).